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C O N F I D E N T I A L SECTION 01 OF 02 BEIJING 002217

SIPDIS

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SUBJECT: CONCERN REGARDING LAWYERS' "DISBARMENT" CONVEYED
TO MFA; CHINESE "DISAPPOINTED" U.S. HRD DELEGATION MET
"SENSITIVE PERSONS"

REF: 6/4/08 EAP/CM)EMBASSY E-MAILS

Classified By: Aubrey Carlson, Political Minister Counselor.
Reasons 1.4 (b) and (d).

11. (C) Summary: In a June 6 meeting with MFA International Organizations Department Deputy Director General Shen Yongxiang, PolMinCouns conveyed DRL A/S Kramer's reply letter to MFA International Organizations (IO) Director General Wu Hailong on the Human Rights Dialogue (HRD) as well as U.S. concerns about reports that Chinese authorities refused to renew the lawyer's licenses of two Chinese lawyers because of their willingness to defend those charged in connection with the unrest in Tibet (ref e-mail). DDG Shen stated the China is "positive" about the HRD and wishes to continue and improve the dialogue. Shen claimed no knowledge of the lawyers' cases, but suggested the lawyers' willingness to take on "sensitive cases" would not be the reason for denying renewal of their licenses. DDG Shen said the USG HRD delegation's meetings with "sensitive persons" put the MFA "in a difficult position" with other Chinese agencies, which view such meetings as an expression of U.S. "ill will." PolMinCouns countered that such meetings are a normal and natural activity of the USG to gain a better understanding of the situation in China. End Summary.

Human Rights Dialogue

12. (C) PolMinCouns on June 6 conveyed to MFA IO Department Deputy Director General Shen Yongxiang DRL A/S Kramer's reply letter to MFA IO Director General Wu Hailong, expressing a desire to continue the renewed U.S.-China Human Rights Dialogue (HRD). DDG Shen agreed that the recent HRD represented "a very good beginning," saying that China is very "positive" about the dialogue. Shen stated that both sides should strive to continue and improve the dialogue in the future.

Lawyers' Cases

13. (C) PolMinCouns pointed out that in addition to urging positive action on the "issues for consideration" the United States provided in advance of the HRD, A/S Kramer's letter also expressed disappointment over reports that the Beijing Judicial Bureau refused to renew the annual law licenses of rights protection lawyers Teng Biao and Jiang Tianyong, following publication of a letter announcing their willingness to defend those charged in connection with the March unrest in Tibet.

14. (C) Noting that during the HRD the United States urged that lawyers be permitted to represent defendants without fear of repercussion, PolMinCouns stressed that the activities of these attorneys support China's efforts to build rule of law and should be encouraged, not punished. Citing A/S Kramer's letter, PolMinCouns urged the Chinese

Government to reconsider the cases of Teng and Jiang and any other lawyers facing the same situation. PolMinCouns also urged the Chinese Government to ensure that all legal and administrative proceedings initiated against persons charged in connection with the unrest in Tibet be conducted transparently and in accordance with Chinese law and international human rights norms.

¶5. (C) Noting that lawyers "must abide by laws and regulations," DDG Shen suggested that if a lawyer was deprived of his license to practice, it was due to "other professional reasons" rather than "human rights issues" or because of their willingness to represent "sensitive cases." He added that he has not heard about the Teng and Jiang cases but promised to look into the matter and to provide information on the cases when available.

¶6. (C) DDG Shen added that acc